

postal code, country, telephone number, fax number, and email address);

(xii) Pilot/Private aircraft pilot name (last, first and, if available, middle);

(xiii) Pilot license number;

(xiv) Pilot street address (number and street, city, state, zip/postal code, country, telephone number, fax number, and email address);

(xv) Country of issuance of pilot's license;

(xvi) Operator name (if individual: last, first, and if available, middle; or business entity name, if applicable);

(xvii) Operator street address (number and street, city, state, zip/postal code, country, telephone number, fax number, and email address);

(xviii) 24-hour Emergency point of contact (e.g., broker, dispatcher, repair shop, or other third party contact, or individual who is knowledgeable about this particular flight) name (last, first, middle, if available) and phone number;

(xix) Aircraft color(s); and

(xx) Complete itinerary (intended foreign airport destinations for 24 hours following departure).

(5) *Permission to depart.* Prior to departure for a foreign port or place, the pilot of a private aircraft must receive a message from DHS approving departure from the United States and follow any instructions contained therein. Once DHS has approved departure, and the pilot has executed all instructions issued by DHS, the aircraft is free to depart.

(6) *Changes to manifest.* If any of the data elements change after the manifest is transmitted, the private aircraft pilot must update the manifest and re-submit the amended manifest to CBP. Only amendments regarding flight cancellation, expected time of departure or changes in departure location, to an already transmitted manifest may be submitted telephonically, by radio, or through existing processes and procedures. If an amended manifest is submitted less than 60 minutes prior to departure, the private aircraft pilot must receive approval from CBP for the amended manifest containing added passenger information and/or changes to information that were submitted regarding the aircraft before the aircraft is allowed to depart the U.S. location, or the aircraft may be denied clearance

to depart from the United States. If a subsequent amended manifest is submitted by the pilot, any clearance previously granted by CBP as a result of the original manifest's submission is invalid.

(7) *Pilot responsibility for comparing information collected with travel document.* The pilot collecting the information described in paragraphs (c)(3) and (c)(4) of this section is responsible for comparing the travel document presented by each individual to be transported onboard the aircraft with the travel document information he or she is transmitting to CBP in accordance with this section in order to ensure that the information is correct, the document appears to be valid for travel purposes, and the individual is the person to whom the travel document was issued.

[CBP Dec. 08-43, 73 FR 68310, Nov. 18, 2008]

#### § 122.23 Certain aircraft arriving from areas south of the U.S.

(a) *Application.* (1) This section sets forth particular requirements for certain aircraft arriving from south of the United States. This section is applicable to all aircraft except:

(i) Public aircraft;

(ii) Those aircraft operated on a regularly published schedule, pursuant to a certificate of public convenience and necessity or foreign aircraft permit issued by the Department of Transportation, authorizing interstate, overseas air transportation; and

(iii) Those aircraft with a seating capacity of more than 30 passengers or a maximum payload capacity of more than 7,500 pounds which are engaged in air transportation for compensation or hire on demand. (See 49 U.S.C. App. 1372 and 14 CFR part 298).

(2) The term "place" as used in this section means anywhere outside of the inner boundary of the Atlantic (Coastal) Air Defense Identification Zone (ADIZ) south of 30 degrees north latitude, anywhere outside of the inner boundary of the Gulf of Mexico (Coastal) ADIZ, or anywhere outside of the inner boundary of the Pacific (Coastal) ADIZ south of 33 degrees north latitude.

(b) *Notice of arrival.* All aircraft to which this section applies arriving in

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the Continental United States via the U.S./Mexican border or the Pacific Coast from a foreign place in the Western Hemisphere south of 33 degrees north latitude, or from the Gulf of Mexico and Atlantic Coasts from a place in the Western Hemisphere south of 30 degrees north latitude, from any place in Mexico, from the U.S. Virgin Islands, or [notwithstanding the definition of “United States” in §122.1(l)] from Puerto Rico, must furnish a notice of intended arrival. Private aircraft must transmit an advance notice of arrival as set forth in §122.22 of this part. Other than private aircraft, all aircraft to which this section applies must communicate to CBP notice of arrival at least one hour before crossing the U.S. coastline. Such notice must be communicated to CBP by telephone, radio, other method or the Federal Aviation Administration in accordance with paragraph (c) of this section.

(c) *Contents of notice.* The advance notice of arrival shall include the following:

- (1) Aircraft registration number;
- (2) Name of aircraft commander;
- (3) Number of U.S. citizen passengers;
- (4) Number of alien passengers;
- (5) Place of last departure;
- (6) Estimated time and location of crossing U.S. border/coastline;
- (7) Estimated time of arrival;
- (8) Name of intended U.S. airport of first landing, as listed in §122.24, unless an exemption has been granted under §122.25, or the aircraft has not landed in foreign territory or is arriving directly from Puerto Rico, or the aircraft was inspected by Customs officers in the U.S. Virgin Islands.

[T.D. 88–12, 53 FR 9292, Mar. 22, 1988, as amended by CBP Dec. 08–43, 73 FR 68312, Nov. 18, 2008]

### § 122.24 Landing requirements for certain aircraft arriving from areas south of U.S.

(a) *In general.* Certain aircraft arriving from areas south of the United States that are subject to §122.23 are required to furnish a notice of intended arrival in compliance with §122.23. Subject aircraft must land for CBP processing at the nearest designated airport to the border or coastline crossing

point as listed under paragraph (b) unless exempted from this requirement in accordance with §122.25. In addition to the requirements of this section, pilots of aircraft to which §122.23 is applicable must comply with all other landing and notice of arrival requirements. This requirement shall not apply to those aircraft which have not landed in foreign territory or are arriving directly from Puerto Rico, if the aircraft was inspected by CBP officers in the U.S. Virgin Islands, or otherwise precleared by CBP officers at designated preclearance locations.

(b) *List of designated airports.*

Location	Name
Beaumont, Tex. ....	Jefferson County Airport.
Brownsville, Tex. ..	Brownsville International Airport.
Calexico, Calif. ....	Calexico International Airport.
Corpus Christi, Tex.	Corpus Christi International Airport.
Del Rio, Tex. ....	Del Rio International Airport.
Douglas, Ariz. ....	Bisbee-Douglas International Airport.
Douglas, Ariz. ....	Douglas Municipal Airport.
Eagle Pass, Tex. ..	Eagle Pass Municipal Airport.
El Paso, Tex. ....	El Paso International Airport.
Fort Lauderdale, Fla.	Fort Lauderdale Executive Airport.
Fort Lauderdale, Fla.	Fort Lauderdale-Hollywood International Airport.
Fort Pierce, Fla. ....	St. Lucie County Airport.
Houston, Tex. ....	William P. Hobby Airport.
Key West, Fla. ....	Key West International Airport.
Laredo, Tex. ....	Laredo International Airport.
McAllen, Tex. ....	Miller International Airport.
Miami, Fla. ....	Miami International Airport.
Miami, Fla. ....	Opa-Locka Airport.
Miami, Fla. ....	Tamiami Airport.
Midland, TX. ....	Midland International Airport.
New Orleans, La. ..	New Orleans International Airport (Moissant Field).
New Orleans, La. ..	New Orleans Lakefront Airport.
Nogales, Ariz. ....	Nogales International Airport.
Presidio, Tex. ....	Presidio-Lely International Airport.
San Antonio, Tex. ..	San Antonio International Airport.
San Diego, Calif. ..	Brown Field.
Santa Teresa, N. Mex.	Santa Teresa Airport.
Tampa, Fla. ....	Tampa International Airport.
Tucson, Ariz. ....	Tucson International Airport.
West Palm Beach, Fla.	Palm Beach International Airport.
Wilmington, NC. ....	New Hanover County Airport
Yuma, Ariz. ....	Yuma International Airport.

[T.D. 88–12, 53 FR 9292, Mar. 22, 1988, as amended by 89–2, Dec. 21, 1988; T.D. 89–2, 53 FR 51272, Dec. 21, 1988; T.D. 89–44, 54 FR 14214, Apr. 10, 1989; T.D. 93–67, 58 FR 44444, Aug. 23, 1993; T.D. 94–34, 59 FR 16122, Apr. 6, 1994; T.D. 97–35, 62 FR 24815, May 7, 1997; CBP Dec. 08–01, 73 FR 12262, Mar. 7, 2008; CBP Dec. 08–43, 73 FR 68312, Nov. 18, 2008]